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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:  
Robert Bartlett Elliott *et al.*

Application Number: 09/857,325

Filed: February 14, 2002

For: PREPARATION AND  
XENOTRANSPLANTATION OF  
PORCINE ISLETS



§ Confirmation Number: 3318  
§  
§ Examiner: Li, Qian Janice  
§  
§ Group Art Unit: 1633  
§  
§ Attorney Docket No.: 36697.7  
§ (formerly DIA 011115)  
§

TRANSMITTAL

Mail Stop AF  
Commissioner For Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Enclosed for filing are the following:

1. Amendment and Response to Final Office Action dated November 2, 2005;
2. Extension of Time;
3. Fee Transmittal;
4. Terminal Disclaimer – Patent; and
5. Return self-addressed stamped postcard.

Please date stamp and return the postcard as evidence of receipt of this transmittal.

The Commissioner is hereby authorized to charge any fee deficiencies or credit any over payment for the filing of these documents to the Deposit Account of Haynes and Boone, LLP 08-1394.

Respectfully submitted,

Mark D. Moore, Ph.D.  
Registration No. 42,903

Date: 4/3/06  
HAYNES AND BOONE, LLP  
901 Main Street, Suite 3100  
Dallas, Texas 75202-3789  
Telephone: 713-547-2040  
Facsimile: 214-200-0853  
H-599238\_1.DOC

|   |  |
|---|--|
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PTO/SB/17 (12-04)

Approved for use through 07/31/2006. OMB 0651-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

# FEE TRANSMITTAL

## For FY 2005

☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ ) 290

**Complete if Known**

|                      |                                |
|----------------------|--------------------------------|
| Application Number   | 09/857,325                     |
| Filing Date          | February 14, 2002              |
| First Named Inventor | Robert Bartlett Elliott et al. |
| Examiner Name        | Li, Qian Janice                |
| Art Unit             | 1633                           |
| Attorney Docket No.  | 36697.7 (formerly DIA 011115)  |

**METHOD OF PAYMENT (check all that apply)**☐ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify): \_\_\_\_\_☒ Deposit Account Deposit Account Number: 08-1394 Deposit Account Name: Haynes and Boone, LLP

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☒ Charge fee(s) indicated below☐ Charge fee(s) indicated below, except for the filing fee☒ Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17☒ Credit any overpayments

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**FEE CALCULATION****1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

| Application Type | FILING FEES |                       | SEARCH FEES |                       | EXAMINATION FEES |                       | Fees Paid (\$) |
|------------------|-------------|-----------------------|-------------|-----------------------|------------------|-----------------------|----------------|
|                  | Fee (\$)    | Small Entity Fee (\$) | Fee (\$)    | Small Entity Fee (\$) | Fee (\$)         | Small Entity Fee (\$) |                |
| Utility          | 300         | 150                   | 500         | 250                   | 200              | 100                   |                |
| Design           | 200         | 100                   | 100         | 50                    | 130              | 65                    |                |
| Plant            | 200         | 100                   | 300         | 150                   | 160              | 80                    |                |
| Reissue          | 300         | 150                   | 500         | 250                   | 600              | 300                   |                |
| Provisional      | 200         | 100                   | 0           | 0                     | 0                | 0                     |                |

**2. EXCESS CLAIM FEES**

| Fee Description   | Fee (\$) | Small Entity Fee (\$) |
|---|----------|-----------------------|
| Each claim over 20 or, for Reissues, each claim over 20 and more than in the original patent            | 50       | 25                    |
| Each independent claim over 3 or, for Reissues, each independent claim more than in the original patent | 200      | 100                   |
| Multiple dependent claims   | 360      | 180                   |

|   |                     |                 |                      |                                  |                 |                      |
|---|---------------------|-----------------|----------------------|----------------------------------|-----------------|----------------------|
| <b>Total Claims</b>   | <b>Extra Claims</b> | <b>Fee (\$)</b> | <b>Fee Paid (\$)</b> | <b>Multiple Dependent Claims</b> | <b>Fee (\$)</b> | <b>Fee Paid (\$)</b> |
| - 20 or HP = _____ x _____ = _____                                    |                     |                 |                      |                                  |                 |                      |
| HP = highest number of total claims paid for, if greater than 20      |                     |                 |                      |                                  |                 |                      |
| <b>Indep. Claims</b>  | <b>Extra Claims</b> | <b>Fee (\$)</b> | <b>Fee Paid (\$)</b> |                                  |                 |                      |
| - 3 or HP = _____ x _____ = _____                                     |                     |                 |                      |                                  |                 |                      |
| HP = highest number of independent claims paid for, if greater than 3 |                     |                 |                      |                                  |                 |                      |

**3. APPLICATION SIZE FEE**

If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

|   |                     |   |                 |                      |
|---|---------------------|---|-----------------|----------------------|
| <b>Total Sheets</b>   | <b>Extra Sheets</b> | <b>Number of each additional 50 or fraction thereof</b> | <b>Fee (\$)</b> | <b>Fee Paid (\$)</b> |
| _____ - 100 = _____ / 50 = _____ (round up to a whole number) x _____ = _____ |                     |   |                 |                      |

**4. OTHER FEE(S)**

Non-English Specification, \$130 fee (no small entity discount)

Other: Extension of Time - Two Months, Terminal Disclaimer

Fees Paid (\$)

\$290

**SUBMITTED BY**

|                   |                      |  |                        |
|-------------------|----------------------|--|------------------------|
| Signature         |                      | Registration No. 42,903 (Attorney/Agent) | Telephone 713-547-2040 |
| Name (Print/Type) | Mark D. Moore, Ph.D. | Date April 3, 2006                       |                        |

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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